

Building Democracy in Mexico

A Balance Sheet

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ABOUT THE ORIGINS OF THE TRANSITION

To appropriately situate the transition to democracy in Mexico —both its clear achievements and what remains to be done— we must consider some of the main characteristics of our social and political history. Today's Mexico is undoubtedly the product of long historical development, beginning with its formation as an independent nation, continuing with the struggles and fundamental definitions that were the basis for the republic in the nineteenth century and linked to the social and political movements of this century.

Precisely because of the particularities of this historical process, there is no agreement about the moment when our transition began. Some political analysts are so bold as to trace it as far back as the 1910 revolutionary movement, saying that this —particularly the recognition of individual and social rights and guarantees as established in the 1917 Constitution— was what unleashed a process of political liberalization with regard to the Porfirio Díaz regime. Others locate it in the 1968 movement because of the nature of its demands and the long term effects it had on Mexico's public life. Still others put it in 1977, with the political reform promoted by Jesús Reyes Heróles, or in

the political events of 1987-1988. Finally, there are those who say the transition began with the 1996 electoral reforms and the new balance of political forces that came out of the July 6, 1997 elections, in which the Institutional Revolutionary Party (PRI) lost its majority in the Chamber of Deputies.

Regardless of the starting point, there is broad consensus that the last 20 years have been fundamental for the democratization of our political system. Apparently, there is also agreement that the advance of democracy in Mexico has been different from the transitions elsewhere, such as some South American countries, Eastern Europe or even Spain, so often proposed as a model and so admired for both its institutional forms and its speed.

The Mexican political transition has its own characteristics; its central driving force has not been the need to refound the state, like in those other countries, but in basically changing the common rules for political affairs and competition through a process of institutional and legal change that has not erased the past.

It should be pointed out in this vein that the Mexican transition has not implied the suppression of the basic constitutional principles that define the contemporary Mexican state as a republican, representative, democratic and federal system. These principles were already present in the 1857 Constitution and the Constituent Assembly of 1917 adopted them without any change whatsoever.

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The Federal Electoral Institute's General Council in session.

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The 1996 reform stipulated that the Federal Electoral Institute (IFE) be entirely composed of respected, individual citizens; the federal government is now completely without representation in the IFE's highest decision-making body, the General Council.

But despite this continuity, the country's radical transformations in recent decades in the most varied spheres (from demographics to the economy, from education to politics and from communications to our links abroad) have made it necessary to institute broad political renovations. As Hermann Heller says, politics consists in activities aimed at transforming social trends into legal norms.¹

It is true that 1968 was especially important for political change in Mexico. The student movement and its immediate and medium-term repercussions made it very clear that it was necessary to reformulate relations between the state and society, particularly how to deal with differences and the political conflicts inherent to any complex nation.

To order the explanation of these changes and underline some of their fundamental elements, it is worthwhile using Giovanni Sartori's now classic distinction between electoral system, party system and system of government.² I will then finalize with brief comments on the political culture that has permeated and, to a great degree, both guided and limited the changes on those three levels.

CHANGES IN THE ELECTORAL SYSTEM

In all democratic regimens, the electoral system fulfills an essential political function: transforming the public will, expressed through regular, peaceful voting, into positions of power that make it possible to set up the legislatures as well as select the head of the executive.

Given the characteristics of the postrevolutionary state's political structure and the particular mechanisms for transferring political power—the central elements of which were the president's designation of his own successor within the context of PRI party discipline and the absence of significant political alternatives—the reform to the electoral system became the priority in Mexico's political transition. That is, since the authoritarian nature of the regime was expressed basically in the lack of a competitive party system, that was where change was urgent. Therefore, the transformation of the electoral system was very rapid after 1968. This both expressed the changes in the country's power structure and had an impact on it. The electoral modernization process has been the outcome of a cycle of almost three decades of reforms to relevant laws and institutions. These reforms have

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been aimed, above all, at establishing the necessary mechanisms for having free, transparent elections and creating trust among the political actors in the electoral structure and functioning.

With this aim, the changes in our electoral system have centered particularly on voter registration, the rights and duties of political parties, the parties' participation in the creation of electoral decision-making bodies and authorities, their presence in the Congress, the citizenry's participation in the organization of elections and in the establishment and functioning of representative bodies. In order to have a more precise understanding of the implications of this long reform process, we should enumerate some of its central characteristics.

The legal changes in the system of political parties have aimed at broadening out their rights and prerogatives. For example, the 1977 electoral law opened up the possibility for all the existing parties to legally participate, even those that had been banned, like the Mexican Communist Party (PCM). The reform also wrote the regulation of political organizations and their activities into the Constitution, conceiving them as entities of public interest and ensuring them both financing and permanent access to the media. Later reforms, including that of 1996, fostered greater party participation in elections and greater equality in the conditions for political competition.

The modification to the electoral system has also prompted broader representation in the legislative branch; thus, today Congress is made up of 500 deputies and 128 senators, compared to the 300 and 64, respectively, of the past.

The 1989-1990 reform is considered a landmark in electoral organization. It established the basis for today's electoral bodies, guided by the principles of independence, autonomy and professionalism, made up mainly of political party representatives and outstanding, individual citizens. Later, the 1996 reform stipulated that the Federal Electoral Institute (IFE) be entirely composed of well respected individual citizens; the federal govern-

ment is now completely without representation in the IFE's highest decision-making body, the General Council. Since then, independently of any other official body, all decisions have fallen to nine electoral councilors, none of whom have any government or partisan ties.

The construction of a trustworthy official electoral body, the creation of a system for challenging decisions and resolving controversies and a form of participation involving the co-responsibility of the citizenry, authorities and political parties were prerequisites for what President Ernesto Zedillo has called the normalization of democratic life, that is, the elimination of postelectoral conflicts that delegitimized governments.

We should underline that the changes in the Mexican electoral system introduced a key element for democratic systems: uncertainty about the outcome and therefore about the country's political map. I will return to this later.

CHANGES IN THE PARTY SYSTEM

These same reforms made it possible to strengthen partisan competition, fostering the change from a system of a dominant party to one of competitive pluralism, in which the most varied ideologies and political currents have a place.

The changes in the party system began with the 1973 and 1977 electoral reforms, which made it possible for a greater number of parties to compete. By the 1982 presidential elections, then, for the first time in the history of Mexico seven different alternatives covering the entire ideological and political spectrum, each with their respective candidates, were set before the public.

The 1977 reform, particularly, made it possible to narrow the gap between the legally recognized institutional sphere and what was happening in the heart of the country, where different forces and movements had significant presence in the increasingly complex structure of civil society.

On the other hand, the reforms to the party system promoted the merger or evolution of the parties themselves. This was the case of the 1982 transformation of the PCM into the Unified Socialist Party of Mexico (PSUM), which would later become the Mexican Socialist Party (PMS). In 1989, the PMS would then turn its legal registration over to today's Party of the Democratic Revolution (PRD) which would bring in, among others, the militants of the PRI's Democratic Current, headed by Cuauhtémoc Cárdenas and Porfirio Muñoz Ledo.

The evolution of the party system has spurred ever greater electoral competition, both federally and at a state level. On a federal level, the parties which occupy the most space are the PRI, the National Action Party (PAN) and the PRD, which has come to the fore in the last decade, creating a tripartisan setup. At the level of the states, political competition has been mainly bipartisan, with the PRI and the PAN competing in some cases and the PRI and the PRD in others.

The following figures are useful for understanding the magnitude of the change in the distribution of power in Mexico, linked to the functioning of the new party system: taking into consideration municipal governments, today the PRI governs 42.5 million people; the PAN, 27.5 million; and the PRD, 18.9 million. This means that more than half the population is governed by an opposition that to a great extent is no longer opposition. The PRI occupies 14 city halls of state capitals (the most important cities in each state); the PAN, 13; and the PRD, 5. This also gives some idea of the new regional bases the different partisan forces have. Another expression of the transformation of our party system is the emergence of the so-called divided governments, both on a federal and state level. These are instances in which one party heads the executive and another has the majority in the legislature. This is the case in the federal Chamber of Deputies and in the states of Baja California, Colima, Coahuila, the State of Mexico,

Guanajuato, Jalisco, Morelos, Querétaro, Quintana Roo, Sonora and Zacatecas.

Retrospectively, we can say that in the last 30 years, Mexico's party system has fulfilled the public's expectations by broadening out political options and fostering electoral competition among them. Today, with the legal registration the IFE has given to six new organizations, there are 11 parties in all. Given current rules for creating coalitions, these 11 will probably field four or five presidential candidates.³

After the 1996 electoral reform, whose constitutional features were approved unanimously by Congress, several items needed for fully consolidating the party system are still pending. Among them are financing and a level playing field, both during campaigns and in what today has become a fundamental component of political life, each party's primaries. Also receiving increasing attention are the issues of the possible reelection of legislators and a second round in the elections of the president.

CHANGES IN THE SYSTEM OF GOVERNMENT

Changes in this sphere are not only linked to growing political pluralism and the negotiation among different elites to create new electoral and party systems. Rather, they are fundamentally connected to what historian Héctor Aguilar Camín has called "the structural trends in the country over the last decades," whose cumulative effect has made itself felt in the 1990s. Among these are a shrinking relative weight of the state and a growing weight of society; greater urbanization and higher educational levels; decentralization of public policies; the massive incorporation of women into the work force; the increasingly important role of the electronic media; Mexico's progressive integration into the world economy; changes in productive and commercial development patterns; diversification of social actors and interest groups;

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and an increased polarization and socioeconomic inequality among Mexicans.⁴

So intense have these trends been that the Mexican political system has been forced into important reforms to modernize public institutions to make them democratic and to reformulate the relationship between them and society as a whole. Not doing this would have brought the survival of the regimen itself into question, and the country's political evolution would surely have traveled less institutional and more traumatic roads.

The magnitude of what has been at stake in the changes to the system of government is perhaps better understood if we make our analysis as Sartori suggests, starting from the importance of procedures and legal-political institutions for the political life of any nation.⁵

Sartori has quite rightly said that a country's legal norms structure and discipline their states' decision-making processes. From this viewpoint, reforming laws

and institutions becomes crucial in that, as he says, "It is clear that institutions and constitutions do not work miracles. But it will be very difficult to have good governments without good instruments of government."⁶

In this sense, the recent challenge to the entire Mexican political system has been to move forward in the creation of a legal, institutional structure capable of generating governability in the framework of a representative democracy. In other words, it has had to give form to a framework capable of maintaining order in the sociopolitical pluralism prevalent in the country and channeling and fostering—to use Sartori's metaphor—the creation of a roadway that circumvents the obstructions and makes for ordered, manageable traffic in the context of increasingly complex social interaction.

To a large degree, the Mexican political process of the last five years has been oriented toward

finding an appropriate balance between the principles of representation and governability. Seemingly, that is where the secret of achieving not only the transition to, but the successful consolidation of democracy lies. The recent experiences not only of countries now inaugurating democratic regimens, but also of those which have already consolidated them, indicate that the form of government that seeks stability and sustained development must harmonically combine institutional effectiveness with basic consensuses. This will make possible what Norbert Lechner has called "an order for all,"⁷ which also essentially requires, as we shall see later, a political culture based on the actors' self-control and willingness to come to agreements through political negotiation.

From what may be an overly optimistic perspective, we can say that Mexico's main political actors have assumed the importance and necessity of institutional transformations despite the

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fact that a good many of their actions continue to hinge on short-term political calculations framed by their strategies of winning power in 2000. The changes in the system of government, therefore, have led to a modification in the terms of both the division and balance of powers of the state, as well as the relationship between the different levels of government (federal, state and municipal) in the context of the national federal pact.

With regard to checks and balances, it should be pointed out that in recent years the executive itself has drastically reduced both its constitutional and meta-constitutional prerogatives. The president no longer influences, for example, the make-up of electoral decision-making bodies, nor the designation of Supreme Court justices, nor the naming of the head of the National Human Rights Commission (CNDH). In addition, an area of special importance in which the president no longer has any influence is

the designation of the head of government of Mexico City's Federal District. This post is now filled by direct elections, as will be the case in 2000 of the heads of the city's political demarcations or wards.

In fact, from the outset of this administration, President Zedillo explicitly proposed exercising the presidency limiting it to its constitutional prerogatives, which has allowed for a more balanced relationship with the other branches of government. This explains the aforementioned limitations on presidential prerogatives. In addition, the legislative branch has achieved a political influence without precedent in Mexican history. Its new central role is explained both by the legal reforms that since 1988 have made it impossible for a single party to pass

amendments to the Constitution and by the new political balance of forces in the Chamber of Deputies. In that framework, the legislative branch has radically changed its internal structure to adjust

it to the new circumstances and avert as far as possible constitutional crises and legislative paralyzes that could lead the country down the path to ungovernability. In 1999, then, a new congressional charter was approved formulating new bases for decision-making in both chambers.

The legislature has also approved the creation of the Federal Monitoring Bureau that will check and evaluate the public administration, thus contributing to strengthening the system of checks and balances. The judiciary has also been considerably reinforced, particularly with the 1994 constitutional amendments, by the broadening out of its attributes and independence with regard to the other branches of government. The organic strengthening of the judiciary has found an important point of support in the creation of the Federal Judiciary Council.

Also, the federal Supreme Court now has the power to review constitutional controversies that

arise among the different branches and levels of government. No less important is the creation of the Electoral Tribunal of the Federal Judiciary as the highest authority in electoral matters.

The changes in Mexican federalism have begun to have a considerable impact on the centralist tendency that for more than 50 years characterized the state born of the Revolution. In the 1980s, with the reform of Article 115 of the Constitution, a continual process of decentralization began in different spheres. The aim was to strengthen the municipalities' and the states' judicial, tax and economic capabilities and encourage balanced regional development.

We must not forget that the redistribution of resources among the states and municipalities has

always been the central issue in the discussion about the real functioning of Mexican federalism. Our political system's centralist tradition was directly reflected in the proportion of the

budget that went to the different levels of government, a proportion that has practically been inverted in recent years. A single example is sufficient to illustrate the magnitude of the change: in 1994, for each peso that the federal government spent centrally, the states and municipalities spent 78 cents. Today, for each peso spent centrally, the states and municipalities spend 1.5. This figure expresses what could be called a new economic balance of forces and undoubtedly is not unrelated to the new weight that local governments, particularly governors, have acquired in national politics.

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THE CHANGES IN POLITICAL CULTURE

In light of comparative political analyses, we can say that for a transition process to be successful, serious de-synchronization between the changes

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Antonio Nava / AVE

No party has a majority in Mexico's Chamber of Deputies today.

in institutions and the prevailing political culture must be avoided. As several other experiences show, institutional revamping of democracy during accelerated political change is clearly more fragile when the cultural resources of both the society at large and the political elites are scanty. In that sense, theoreticians like Robert A. Dahl have said that at critical moments for the system, a culture favorable to negotiation and agreements is indispensable for successfully overcoming crises. If this is missing, most probably a collapse of democracy itself will ensue.

Of course, it would be equally prejudicial for the institutions to lag behind the public's demands, concerns and aspirations according to the prevailing culture. If this happened, the danger would lie in democratic institutionalism's loss of legitimacy, in that it would seem to the public incapable of generating ordered, constructive political life.

It is important to point out that in each of its moments, a transition process brings with it specific challenges to the political actors. Today, given the enormous social tasks facing us in the twenty-first century and a political situation marked by a relationship of forces without precedent in Mex-

ican history, among other things we must definitively leave behind the intolerance, vengefulness and authoritarianism that continue to exist in our political life and may seriously affect the possibility of arriving at basic national accords.

In this sense, the unilateral visions of exclusionary agreements can become barriers to the transition. Therefore, our current circumstances demand the promotion of a democratic culture that would allow all the actors involved to live up to the new political reality and respond to our society's profound concerns and demands.

Fortunately, today we can say that fundamentally, the revolutionary paradigm has been replaced by the democratic paradigm in our national political culture. This means moving from the understanding of political struggle as a violent confrontation, where the main objective is to eliminate your adversary, to a vision of the contest as a peaceful processing of differences and the conflicts derived from them.⁸

Dialogue and negotiations have gradually been given more weight as political tools for the kind of political life and competition in which there are no definitive victories or defeats, and adversaries can dia-

logue, make agreements and, of course, alternate in office, according to their ability to attract the voters. However, we should not lose sight of the fact that the consolidation of democratic political culture in Mexico still has a long way to go. Closely examined, clearly the main problem lies in the still fragile culture of legality, as well as the difficulties in completely assimilating the notions of the actors' co-responsibility and self-limitation. The long decades of pragmatism and the predominance of informal arrangements both in society and the political structure meant that in the collective imagination the idea prevailed that law and consensuses were not the fundamental mechanisms that ruled social and political relations. Today, the construction of the complete rule of law must include placing value on legal certainty and security and the recognition of the negative consequences of disobeying the law. We are starting out on the road to building a new civility both in terms of living together as a society and in political competition. Moving forward will depend on an enormous collective effort to foster attitudes and behavior linked to respect for the law and tolerance for others. In a complex, plural society, there is no other possible road for guaranteeing the stable and effective reproduction of the community itself.

Finally, Mexican political culture will have to take charge of what is expected of the new political regimen. We should remember, as Bobbio says, "In democracy, making demands is easy; finding answers is difficult,"⁹ because of the complexity of coming to agreements among all or almost all actors. This explains in part the public's dissatisfaction with the functioning of democracy in Mexico, as reported in different surveys.

Given this situation, the idea that we cannot expect democracy to immediately solve all the country's problems must be socialized. In effect, both the political actors and the public at large will have to completely assimilate the idea that democracy can contribute to making collective decisions on the basis of majority participation and in favor

of general interests, but it cannot, neither in and of itself, nor simultaneously, resolve economic, social or cultural problems. Each of these spheres has its own specific dynamics which democracy can have an impact on, but cannot substitute for. With that in mind, the national political institutions and actors today must carry out reforms to make it possible to exert a greater capacity for offering answers to society.

IN CONCLUSION

The process of democratization in Mexico has developed on the basis of two factors: the existence of historically unresolved problems on different levels of society and the particularities of our recent political situation. This is crucial for understanding the rhythms and spaces that have characterized Mexican political life and in order to not fall into the trap of expecting a generic, uniform transformation (or what some would call a refounding) and to respect the specificity of each level. With this kind of criteria, it is possible to understand that some of the spheres of the democratization process have merited a renovation of their legal-political structure or the creation of a new set of norms. Others have only needed measures to broaden out, strengthen or bring up to date the already existing structure and functioning.

In today's conditions, modernizing Mexico's political structures through new political-institutional arrangements and pacts has shown itself to be the only way to avoid the risks of progressive decomposition of the fiber of society itself. Of course, if this modernization is not speeded up, it will be increasingly difficult to stop the effects of the gap between social needs and the state's response. This gap can be clearly seen in the difficulties encountered in trying to effectively solve problems like the lack of public safety, which has reached alarming heights and has questioned the fundamental *raison d'être* of the state. In this same

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vein, if we closely examine the problems for which solutions have been sought during this process of political change, we can agree that they are not directly linked to one or another partisan view. Quite to the contrary, they are linked to the possibility of creating broad consensuses using an effective state position as a starting point to guarantee the country's long-term viability as a community structured around a legal and institutional framework arrived at by consensus.

Such a far-reaching process of institutional reform that aspires to being democratic must place the same importance on the creation of appropriate instruments of government and the sociopolitical and cultural conditions that determine the identity of the actors who use those instruments. Indeed, a basic priority of democracy, from the point of view of stability and governability, consists of making sure that a possibly desirable political model jibes with the sociocultural basis that can really make it work. To make sure this happens, Mexican democratization would have to continue to advance based on a delicate balance between institutional development and political culture. That balance requires

the continual forging of pacts and careful conciliation between particular interests and the political moment and a necessary, socially, economically and politically responsible vision of the future. ■■■

NOTES

¹ Hermann Heller, *Teoría del Estado* (Mexico City: Fondo de Cultura Económica, 1978).

² Giovanni Sartori, *Partidos y sistemas de partidos, I* (Madrid: Alianza, 1980), and Giovanni Sartori, *Ingeniería constitucional comparada* (Mexico City: Fondo de Cultura Económica, 1994).

³ Actually, the final number was six, two of them backed by coalitions: Vicente Fox, for the Alliance for Change (PAN and PVEM); and Cuauhtémoc Cárdenas, for the Alliance for Mexico (PRD, PT and three smaller, new parties). [Editor's Note].

⁴ Héctor Aguilar Camín, *Después del milagro* (Mexico City: Cal y Arena, 1990), pp. 16-17.

⁵ Giovanni Sartori, *Ingeniería constitucional comparada* (Mexico City: Fondo de Cultura Económica, 1995).

⁶ *Ibid.*, p. 8.

⁷ Norbert Lechner, *La conflictiva y nunca acabada construcción del orden deseado* (Madrid: Siglo XXI, 1986).

⁸ Ulises Beltrán, et al., *Los mexicanos de los noventa* (Mexico City: Instituto de Investigaciones Sociales, 1996).

⁹ Norberto Bobbio, *El futuro de la democracia* (Mexico City: Fondo de Cultura Económica, 1991), p. 28.

